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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

POINVIL, FRANTZY

ART UNIT	PAPER NUMBER
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3628

DATE MAILED: 08/23/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.  
09/225,208

Applicant(s)  
TOGAWA ET AL.

Examiner  
Frantzy Poinvil

Art Unit  
3628



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on May 31, 2002
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-18 and 25-34 is/are pending in the application.
- 4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 and 25-34 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some\* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 15 6) ☐ Other:

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## DETAILED ACTION

1. **Response to Amendment filed 5/31/02:**

Applicant has amended the independent claims to recite “a resource manager that stores groups of workers and assigns resources...” and has changed allocated to assigned.

Applicant then generally argues that the prior art taken alone or in combination failed to teach or suggest storing groups of workers and assigns resources of jobs to the groups of workers.

In response, Fargher discloses having a group of workers and resources. Note column 7, lines 19-26 of Fargher. Matsuzaki et al also discloses tracking members of a development project team. See abstract. A team is composed of a group of workers. Matsuzaki et al also teaches ensuring that tasks are executed and provides members of a development project team with information about the progress of tasks. Note also the abstract and column 6, lines 31-56 of Matsuzaki et al.

The IBM Technical Disclosure Bulletin has been applied to show teachings of providing or inhibiting access to resources thereof from another group to which permission to use the resources of a first group is not being allocated.

The combined teachings also store and manage resources and workers. It would have then been obvious to the skilled artisan that since a group of workers are known in the system,

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storing a group of workers would have been an obvious function which would have enabled better management and assignment of resources and tasks.

Rapozo has been shown to teach a storing a job definition form defining

Thus, applicant's claimed language of a resource manager that stores groups of workers and assigns resources does not place the claims in allowable form and the Examiner thereby maintains the rejection as set forth in the prior Office action as being reprinted below.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 3-27, 30, 33-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fargher et al.(US Patent No. 5,826,040) in view of Matsuzaki (US Patent No. 5767848) considered with the "IBM Disclosure Bulletin".

As per claims 1, 27, 30 and 33-34 Fargher et al discloses a production planning system and method for managing resources among group of workers that carry out jobs using computers. The system comprises a plurality group of resources whereby each resource group has an associated set of processing capabilities which every member of the group is able to perform.

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Fargher et al states that "Since a single semiconductor manufacturing machine may perform several different processes, a machine may be a member of several different resource groups". Note column 7, lines 19-33. Similarly a worker is a resource and possesses several skills and may be a member of more than one group of workers. Furthermore, dividing works, jobs, tasks and resources among groups of workers in an organization, enterprise or assembly line is routinely done. Note the abstract of Matsuzaki et al. Matsuzaki et al teaches a development support system for supporting new product development activities including designing, manufacturing experimental models and testing the functions of the models. The system comprises a resource manager, a job monitor and a scheduler. Note the abstract and column 5, line 35 to column 7, line 65.

Fargher et al further discusses determining usage of resources in a multitask, multi-resource environment is well known in the art note also column 7, lines 19-33 of Fargher et al. Thus, permission must be obtained by one group before using a resource of another group. A first group inhibiting access to a resource thereof from another group to which permission to use the resources of the first group is not allocated would have been obvious to the skilled artisan in order to avoid conflict and also to meet production deadlines. Fargher et al further discloses checking the status of various resources such as machines or operators. Note column 5, lines 6-13. Fargher et al also discloses a scheduler for tracking work in process and for tracking and directing the flow of work product through the factory. Note column 5, lines 27-35 and column 6, lines 15-27 of Fargher et al. Since there are group of workers (column 5, lines 29-36), the

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scheduler scheduling the jobs of each group according to a procedure specific to the group and information provided by the job monitor would have been obvious to the skilled artisan so that resources are not underutilized or overutilized (Fargher et al at column 9, lines 40-50) and also for meeting production goals. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Fargher et al with Matsuzaki et al with the motivation of sharing works different group of workers working on a particular project.

Applicant argues that Fargher or Matsuzaki taken in singly or in combination fails to teach or suggest managing resources allocated to group of workers.

In response, the Examiner has previously stated that dividing works, jobs, tasks and resources among groups of workers in an organization, enterprise or assembly line is routinely done. Note the abstract of Matsuzaki et al. Furthermore, it is disclosed on an "IBM Technical Disclosure Bulletin" that users rights from a given group are stored on a list. Users from one group may access resources from another group through permission during the stage of a given project. Note the document. Thus, the system inhibits access to the resources thereof from another group to which permission to use the resources of the first group is not being allocated. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Fargher and Matsuzaki with the IBM disclosure in order to inhibit access to resources from one group to another group with proper identification. The motivation would have been to monitor access control of resources so that a project may timely be completed through shared resources.

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As per claim 4, the combination of Fargher et al, Matsuzaki and the IBM Disclosure does not explicitly disclose an emergency group being allowed to access every resource of every group and the job monitor accepting any request from the emergency group for accessing a resource. Such would have been obvious to the skilled artisan because it is well known in the art that a manager or supervisor has the authority to access any resource at any given time whenever such is necessary for the advantage of the organization.

As per claim 5, adjusting a schedule or transferring resources from one group to another group are suggested by Fargher et al. Note column 5, lines 16 to column 6, line 67. Note also the replanning, the what ifs scenarios and the dynamic release plan which are updated in response to machine failure. Applicant is also referred to the IBM Disclosure Bulletin.

As per claims 6-9, 25 and 26, the IBM Disclosure Bulletin discloses usage permission information provided for a resource to contact a second group for permission. Having a requesting unit such as a telephone, computer, notebook, a pager, visual Input/Output devices such as a television camera, a sensor and transmitter and an audio I/O unit being a microphone such that when a first group makes a request to use a resource of a second group, requesting the second group for permission to use the resource would have been obvious to the skilled artisan as these communication devices are routinely used for various desired purposes.

As per claims 10 and 16, having an input device attached to a selected member of the second group for identifying and locating the member or a positioning unit for generating an image of the selected member when requesting permission to use a resource or a virtual reality

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device attached to the selected member to identify the location of the member would have been obvious to the skilled artisan for security purposes.

As per claims 11-15, the job monitor unit performing these claimed functions would have been obvious to the skilled artisan because changes, replanning and the transferred of resources and/or workers among different group of workers and/or different resource groups are made. Allocating a representative name to a set of resources and identically for handling the resources under a representative name of a given group would have been obvious to the skilled artisan in order to identify a member who assumes responsibility for the resources when all conditions are confirmed.

As per claim 17, the input device being a head-mount display worn by a selected member so that the member may give permission to use the resource would have been obvious to the skilled artisan for identifying the member with the factory thereby providing some security measures in the factory system.

As per claim 18, providing at least a password or an ID to prevent illegal access to the input device would have been obvious to the skilled artisan for the simple reason of preventing illegal access of the device.

4. Claims 2, 28-29, 31-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fargher et al.(US Patent No. 5,826,040), Matsuzaki (US Patent No. 5767848), the IBM Disclosure as applied to claims 1, 33 and 34 above and further in view of Rapozo (PC Week v12, n19, p74(2)).



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The teachings of Fargher, Matsuzaki and the IBM Disclosure are discussed above. As per claims 2, 28-29 and 31-32, storing a job definition form defining for each group the jobs. Is taught by Rapozo. Note the article. Indication of rights to use resources are taught by the IBM Disclosure Bulletin.. Having a resource manager, a job monitor and the scheduler exchanging the rights to use the resources among the groups according to the job definition form would have been obvious to the skilled artisan when combining the teachings of Rapoza with Fargher, Matsuzaki and the IBM Disclosure Bulletin with the motivation of avoiding conflict among the groups and also to maximize production of items produced at the factory.

As per claim 3, applicant is directed to column 9, line 40 to column 10, line 46 of Fargher et al.

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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6.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frantzy Poinvil, whose telephone number is (703) 305-9779. The Examiner can normally be reached on Monday through Thursday from 7:30 AM to 6:00 PM.

The fax phone number for this Art Unit is (703) 305-7687.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-1113.  
FP

August 22, 2002

  
**Frantzy Poinvil**  
**Primary Examiner**  
**Art Unit 3628**